

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICHARD J. CAPAK,

Plaintiff,

-against-

RORY DORALL SMITH,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 1/11/2023

**ORDER**

**18-CV-4325 (RA) (KHP)**

**KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE**

As discussed in the January 10, 2023 case management conference, the deadline for the defendant's motion for summary judgment on punitive damages is **Thursday, February 9, 2023**.

The deadline for the Plaintiff's response is **February 23, 2023**. The Defendant's reply is due **March 2, 2023**.

The parties shall also meet and confer regarding the possibility of settlement in this case and shall write a letter to the Court by **January 24, 2023**. The letter shall update the Court on settlement discussions and request a settlement conference if the parties find a conference would be productive.

**SO ORDERED.**

Dated: New York, New York  
January 11, 2023

*Katharine H Parker*

KATHARINE H. PARKER  
United States Magistrate Judge